

REMARKS

Claims remaining in the present application are Claims 1 - 7 and 9 - 22. Claims 8 and 23 are cancelled, without prejudice. Claims 1, 3-6, 9-10, 12-14, 16 and 18-21 have been amended.

DOUBLE PATENTING

Claims 1-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,374,404. Claims 8 and 23 are cancelled, without prejudice. A terminal disclaimer is attached to this response thereby obviating the obviousness-type double patenting rejection to Claims 1-7 and 9-22.

35 U.S.C. §103

Claims 1, 2, 4, 7, 16, 17, 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon, U.S. Patent 6,351,467 (hereinafter, Dillon) in view of Hidary et al. U.S. Patent 5,774,664 (hereinafter, Hidary).

Currently amended Claim 1 recites, in part:

monitoring datacast information decoded from a digital television broadcast signal to identify newly received hypertext documents, wherein said monitoring comprises:

tuning a tuner to a selected channel within said digital broadcast signal and receiving datacast information therefrom for a time period;

identifying newly received hypertext documents from

said received datacast information;
updating said selected channel and initializing said
time period at expiration of said time period; and
repeating said tuning, identify, and updating.

Applicants respectfully assert that the cited prior art fails to teach or suggest the above claim limitations. The rejection states that subject matter presented in original Claim 8 contains allowable subject matter. Applicants have incorporated subject matter from original Claim 8 into Claim 1.

Applicants have also broadened the scope of Claim 1 with other amendments.
However, Applicants respectfully assert that Claim 1, as amended, is believed to be allowable over the prior art.

Independent Claim 16 comprises similar limitations as the above limitations in Claim 1. Therefore, Claim 16 is respectfully believed to be allowable.

Claims 2, 4, 7, 17, 19 and 22 depend from Claims 1 and 16, incorporating limitations therefrom. Therefore, Claims 2, 4, 7, 17, 19 and 22 are respectfully believed to be allowable.

Claims 3 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Hidary in further view of Broadwin et al. U.S. Patent 5,929,850 (hereinafter, Broadwin).

For reasons discussed in the response to Claim 1, Claims 1 and 16 are respectfully believed to be allowable over the cited prior art. Claims 3 and 18 depend from Claims 1 and 16, incorporating limitations therefrom. Therefore, Claims 3 and 18 are respectfully believed to be allowable.

Claims 5, 6, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Hidary in further view of Burns et al. U.S. Patent 5,991,306 (hereinafter, Burns).

For reasons discussed in the response to Claim 1, Claims 1 and 16 are respectfully believed to be allowable over the cited prior art. Claims 5, 6, 20 and 21 depend from Claims 1 and 16, incorporating limitations therefrom. Therefore, Claims 5, 6, 20 and 21 are respectfully believed to be allowable.

Claims 9-11, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Hidary in further view of Williams et al. U.S. Patent 5,701,161 (hereinafter, Williams).

Applicants respectfully assert that currently amended Independent Claim 9 comprises similar limitations to those presented in the response to Claim 1. For reasons discussed in the response to Claim 1, Claim 9 is respectfully believed to be allowable over the cited prior art. Claims 10-11,

13 and 15 depend from Claim 9, incorporating limitations therefrom.

Therefore, Claims 10-11, 13 and 15 are respectfully believed to be allowable.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Hidary in further view of Williams in still further view of Broadwin.

For reasons discussed in the response to Claim 9, Claim 9 is respectfully believed to be allowable over the cited prior art. Claim 12 depends from Claim 9, incorporating limitations therefrom. Therefore, Claim 12 is respectfully believed to be allowable.

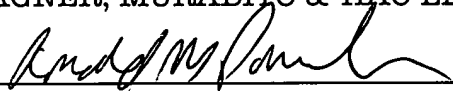
Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon in view of Hidary in further view of Williams in still further view of Burns.

For reasons discussed in the response to Claim 9, Claim 9 is respectfully believed to be allowable over the cited prior art. Claim 14 depends from Claim 9, incorporating limitations therefrom. Therefore, Claim 14 is respectfully believed to be allowable.

CONCLUSION

Based on the amendments presented above, it is respectfully submitted that Claims 1 - 7 and 16 - 22 overcome the rejections of record and, therefore, allowance of Claims 1 - 7 and 16 - 22 is solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

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